



PLANNING COMMISSION REGULAR MEETING
WEDNESDAY, AUGUST 10, 2016
5:30 PM

[Johnnie Roark](#), Community Development Director

153A Morton Lane, Appomattox, VA 24522
www.AppomattoxCountyVA.gov

Call to Order

Determination of Quorum

Citizen's Comment Period

Approval of Minutes

1. [16-0170](#) May 11, 2016 Minutes
The minutes from the regular meeting in May are available for your approval.
Suggested Actions: Approve Recommendation
Documents: [May 11_Minutes.docx](#)

Discussion of Petition/Public Hearing

Old Business

New Business

2. [16-0166](#) Overview of New Agenda Format
Mr. John Spencer will be available to provide an overview and answer questions concerning the new web-based agenda format that we will be utilizing from this point forward.
Suggested Actions: No Suggested Action
3. [16-0168](#) Discussion-Temporary/Directional Signs
Over the past couple of months, staff has met with the owners of WolfPAC, located at 618 Country Club Road concerning temporary/directional signs they would like to use to assist patrons in locating the facility. There are at least four intersections impacted coming from the west and at least two intersections impacted coming from the east.
As the ordinance is written, the argument could be made that these signs are actually "off-premise" signs, which are only permissible in commercial or industrial zoned areas. None of the intersections impacted meet this criteria. VDOT regulations concerning outdoor advertising also becomes an issue.
One could argue that the signs are "temporary/directional", however, time limitations become an issue. A temporary sign permit is only good for a 30 day period, 3 times per year (total 90 days). A temporary permit would need to be approved for each individual property owner (each site). The issue of whether VDOT would consider them outdoor advertising would still be unresolved.
Suggested Actions: No Suggested Action
Documents: [WolfPAC_Sign_PC8102016.pdf](#), [WolfPAC_Sign_Map.pdf](#)
4. [16-0169](#) Discussion-Cemetery Definition
With the update to the Zoning Ordinance in 2014, the land use category "cemetery" was moved to the conditional use list A-1, R-1, R-2, R-3, and V-1 zoning districts. Prior to this change, the use was a permitted use in A-1, a conditional use in R-2 and V-1 and not allowed in R-1. Past practice was to request that in an A-1 district for example, issue a zoning permit and request that a survey be completed so that our records could pick up the cemetery. This worked pretty well for the most part.
The definition for cemetery remained the same when we updated the ordinance. The term is defined as "a privately or church owned/or operated place of burial of the dead, where lots may be sold and perpetual care of the graves may be furnished."
Staff has encountered an issue of when enforcing the ordinance as it is today and applying this definition to a single event (i.e. when a loved one passes and the family wants to create a "cemetery" on the family farm). As you can imagine, this is a difficult time for those involved and hearing that a conditional use permit with a three month turnaround is not what grieving family needs or wants to hear.
Staff would recommend a two part solution: 1). amend the definition slightly and 2). add to the Additional Regulations section certain requirements for the creation of the cemetery, but also

exempting certain "family" types from the CUP requirement in the A-1 district. You will find a sample attached.

Suggested Actions: No Suggested Action

Documents: [Proposed Definition Change_Cemetery_2016.pdf](#)

5. [16-0167](#)

Discussion_Legislative Changes to Proffers

At the July 18th meeting of the Board of Supervisors, Mr. J. G. Overstreet, County Attorney provided a memorandum analyzing the latest change to Section 15.2-2303.4 of the Code of Virginia pertaining to the acceptance of proffers during conditional rezoning petitions.

Attached you will find a copy of the new Code section and a copy of Mr. Overstreet's memorandum. The changes to the Code language impact proffers associated with new residential subdivision development. During my time in Appomattox, I have not processed a petition for conditional rezoning for a residential development.

Mr. Overstreet feels that we may need to amend our ordinance to contain language similar to the Code of Virginia. Caution is urged since larger localities are impacted more than, say Appomattox, and legal challenges and/or additional changes to the legislation are pending.

Suggested Actions: No Suggested Action

Documents: [Memo_Proffers_New_Residential_Development.pdf](#)

Adjournment